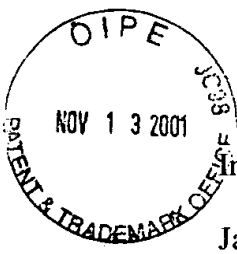


DAC
\$
#4

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Attorney Docket No. 23439-016-401
)
Jay PETERSON, *et al.*) Group Art Unit: Not yet assigned
)
Serial No.: 09/708,713) Examiner: Not yet assigned
)
Filed: November 09, 2000)

For: UNMANNED INTEGRATED OPTICAL REMOTE EMISSIONS SENSOR
(RES) FOR MOTOR VEHICLES

ATTN: BOX DAC
Assistant Commissioner for Patents
Washington, D.C. 20231

**PETITION UNDER 37 C.F.R. § 1.47(b) TO COMPLETE FILING
REQUIREMENTS WHEN AN INVENTOR REFUSES TO SIGN OR CANNOT
BE REACHED**

Sir:

This Petition Under 37 C.F.R. §1.47(b) To Complete Filing Requirements When An Inventor Refuses To Sign Or Cannot Be Reached is being filed in response to the Notice of Incomplete Nonprovisional Application (copy enclosed), mailed April 10, 2001. The following items are enclosed.

1. A petition fee of \$130;
2. Surcharge fee of \$130;
3. A Joint Declaration For Reissue Application signed by Christopher Cuneo
(Registration Number 42,450) and including the last known addresses of the
inventors;

11/14/2001 TGEDA#U1 00000010 09708713
01 FC:122 130.00 OP
02 FC:105 130.00 OP

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DEPUTY A/C PATENTS

4. A Statement Of Facts In Support Of Filing On Behalf Of The Non-Signing Inventors;
5. A Statement Establishing The Proprietary Interest of **Envirotest Systems Corporation**.

PETITION

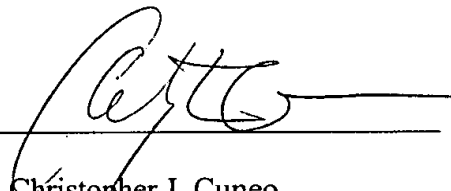
The named inventors in this application, JAY PETERSON, DAVID R. NELSON, TROY P. BAHAN, GEORGE C. POLCHIN AND MICHAEL D. JACK, have refused, or cannot be located, to execute the Oath or Declaration necessary to complete the filing. Therefore, **Envirotest Systems Corporation (ESC)**, the rightful owner of the entire right title and interest of the present application have filed this Petition in accordance with 37 C.F.R. § 1.47 and MPEP §§ 409.01-409.03(j).

Respectfully submitted,

Mintz Levin Cohn Ferris Glovsky and Popeo, PC

Dated: November 13, 2001

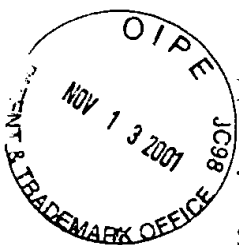
By: _____


Christopher J. Cuneo
Registration No. 42,450

Mintz Levin Cohn Ferris Glovsky and Popeo, PC
11911 Freedom Drive, Suite 400
Reston, VA 20190
Telephone (703) 464-8159
Facsimile (703) 464-4895

RES 56982v1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Patent Application of:)
)
Jay PETERSON, *et al.*) Group Art Unit: Not yet assigned
)
Serial No.: 09/708,713) Examiner: Not yet assigned
)
Filed: November 09, 2000)

For: UNMANNED INTEGRATED OPTICAL REMOTE EMISSIONS SENSOR
(RES) FOR MOTOR VEHICLES

Assistant Commissioner for Patents
Washington, D.C. 20231

STATEMENT ESTABLISHING A PROPRIETARY INTEREST

I, **Christopher Cuneo**, residing at **15657 Limestone School Rd., Leesburg, VA 20176**, am the person signing the declaration on the above-identified application on behalf of the non-signing inventor(s) and make this statement as to the facts establishing the proprietary interest of **Envirotest Systems Corp. (ESC)**.

The proprietary interest of in this invention belongs to:

Environmental Systems Products Holdings, Inc.

11 Kripes Road

East Gramby, Connecticut 06026

Through its subsidiary:

Envirotest Systems Corporation

2002 N. Forbes Boulevard

Tucson, Arizona 85745-1446


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I am authorized to sign on behalf of ESC, as per the authorization of General Counsel, Laurence D. Hurwitz, Esq. (copy of email authorization attached).

I establish proprietary interest by attaching a copy of the CERTIFICATION UNDER 37 C.F.R. § 3.73(B), filed November 9, 2000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 11/13/01



Christopher Cuneo
Reg. No. 42,450

RES 56968v1

Cuneo, Christopher J.

From: Larry.Hurwitz@etest.com
Sent: Wednesday, August 29, 2001 5:13 PM
To: Cuneo, Christopher J.
Subject: RE: CONFIDENTIAL
Sensitivity: Confidential

Consider this as authorization to sign on behalf of the company.

-----Original Message-----

From: Cuneo, Christopher J. [mailto:CJCuneo@Mintz.com]
Sent: Wednesday, August 29, 2001 5:07 PM
To: Laurence D. Hurwitz (E-mail)
Subject: CONFIDENTIAL
Importance: High
Sensitivity: Confidential

CONFIDENTIAL
ATTORNEY-CLIENT PRIVILEGED

Dear Larry,

We are preparing petitions to the Commissioner of the U.S. Patent Office that, if granted, will enable eSP to prosecute the patent applications filed in the names of John DiDomenico and the other ex-employees. As part of the petitions we will need to file a declaration on behalf of the inventors that must be signed by either an authorized officer of eSP or a registered patent attorney with authorization to sign on behalf of the company.

As we will be preparing a number of these petitions, I believe it would be easier logistically if eSP authorizes the following registered patent attorneys and agents to execute the declarations:

James G. Gatto
Christopher J. Cuneo
Raphael A. Valencia
Brian S. Rosenbloom
Bradford C. Blaise

The above people work in Mintz Levin's Reston office under Jim's supervision. Authorization may be granted via response to this email. We need authorization as soon as possible as some of these petitions are due in early September. If you have any questions or comments, please do not hesitate to contact me.

Thanks,

-Chris

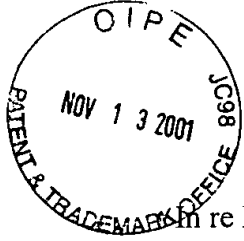
Christopher Cuneo
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
One Fountain Square
11911 Freedom Drive
Reston, Virginia 20190
Telephone: 703-464-8159
Facsimile: 703-464-4895
email: ccuneo@mintz.com

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DEPUTY A/C PATENTS

STATEMENT OF CONFIDENTIALITY

The information contained in this electronic message and any attachments to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. If you are not the intended recipient, please notify Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. immediately at either (617) 542-6000, (202) 434-7300, (212) 935-3000, or at ISDEPT@mintz.com, and destroy all copies of this message and any attachments.

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Jay PETERSON, *et al.*

Serial No.: 09/708,713

Filed: November 09, 2000

)
)
)
)
)
)

Attorney Docket No.: 23439-016-401

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

For: UNMANNED INTEGRATED OPTICAL REMOTE EMISSIONS SENSOR
(RES) FOR MOTOR VEHICLES

Assistant Commissioner for Patents
Washington, D.C. 20231

**STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF
NONSIGNING INVENTORS**

This is a statement of the facts relied upon to establish the diligent efforts to secure the execution of the Joint Declaration For Reissue Application by the non-signing inventors for the above identified patent application. Also included is a statement of facts relied upon to show that this petition is necessary to preserve the rights of the parties and prevent irreparable damage.

The declarations and affidavits included with this statement are made by persons with first-hand knowledge of the facts recited therein.

Applicants are filing this petition to preserve their rights. By their actions the inventors are refusing to cooperate in the execution of the reissue declaration. Applicants are at the end of the statutory period for response and, therefore, must proceed without inventor participation in order to preserve their rights.

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DEPUTY A/C PATENTS

STATEMENT OF FACTS IN SUPPORT OF FILING
ON BEHALF OF NONSIGNING INVENTORS
U.S. Application Serial No. 09/708,713
Attorney Docket No.: 23439-016-401

Additional facts are set forth below.

I, Christopher Cuneo declare that:

1. On information and belief, JAY PETERSON, DAVID R. NELSON, TROY P. BAHAN, GEORGE C. POLCHIN AND MICHAEL D. JACK were employees of **HE Holdings Inc.**, or its predecessors in interest.
2. On information and belief, during their tenure at HE Holdings, Inc. JAY PETERSON, DAVID R. NELSON, TROY P. BAHAN, GEORGE C. POLCHIN AND MICHAEL D. JACK developed the invention that is the subject of the present application and was previously issued as U.S. Patent No. 5,726,450.
3. On information and belief, JAY PETERSON, DAVID R. NELSON, TROY P. BAHAN, GEORGE C. POLCHIN AND MICHAEL D. JACK assigned their rights to the invention to HE Holdings Inc (reel: 008292, frame: 0755).
4. On information and belief HE Holdings Inc., dba Hughes Electronics, assigned their rights to Hughes Aircraft Company (copy enclosed with Certificate under 37 C.F.R. § 3.73(b))
5. On information and belief, Hughes Aircraft Co. assigned their rights to Envirotech Systems Corp. (reel: 008730, frame: 0514).
6. On information and belief, a reissue application serial no. 09/521,858 was filed for the 5,726,450 patent on March 9, 2000 in order to meet the statutory deadline.
7. On information and belief, in March of 2000 Ms. Mary Salgado contacted DAVID R. NELSON, GEORGE C. POLCHIN, and MICHAEL D. JACK, via

STATEMENT OF FACTS IN SUPPORT OF FILING
ON BEHALF OF NONSIGNING INVENTORS
U.S. Application Serial No. 09/708,713
Attorney Docket No.: 23439-016-401

electronic mail, at their present place of employ (Raytheon Systems, Inc.) in order to request their signatures on the reissue declaration. Mr. NELSON, Mr.

POLCHIN and MR. JACK confirmed their mailing addresses at that time.


8. On information and belief, on November 2, 2000, Mr. Devin Morgan, an agent of Envirotest Systems Corp. contacted all of the named inventors to procure their signatures on the reissue declaration (copies enclosed).
9. On information and belief, on November 7, 2000, Mr. NELSON responded via email that he would coordinate the responses of Mr. PETERSON, MR. JACK and Mr. POLCHIN (copy enclosed).
10. On information and belief, on January 17, 2001 Mr. Morgan again contacted Mr. NELSON via email to obtain the signatures on the reissue declaration (copy enclosed).
11. On information and belief, on February 13, 2001 Mr. Morgan again contacted Mr. Nelson to obtain signatures on the reissue declaration (copy enclosed).
12. On October 12, 2001 I sent, letters to each of the named inventors again asking for signatures on the reissue declaration (copies enclosed).
13. On information and belief, the letters to Mr. NELSON, Mr. POLCHIN, Mr. PETERSON, and Mr. JACK were delivered to the recipients (copies of tracking data enclosed).
14. On information and belief, the letter to Mr. BAHAN was not delivered, as Mr. BAHAN could not be located at his last known address (copy of tracking data enclosed).

STATEMENT OF FACTS IN SUPPORT OF FILING
ON BEHALF OF NONSIGNING INVENTORS
U.S. Application Serial No. 09/708,713
Attorney Docket No.: 23439-016-401

15. On information and belief, to date none of the named inventors have returned
executed copies of the reissue declaration.

16. I hereby declare that all statements made herein of my own knowledge are true
and that all statements made on information and belief are believed to be true; and
further that these statements were made with the knowledge that willful false
statements and the like so made are punishable by fine or imprisonment, or both,
under Section 1001 of Title 18 of the United States Code and that such willful
false statements may jeopardize the validity of the application or any patent
issuing thereon.

Date: November 13, 2001



Christopher Cuneo
Reg. No. 42,450

RES 56975v1



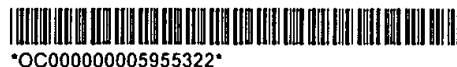
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/708,713	11/09/2000	Jay Peterson	47382.000111

CONFIRMATION NO. 8439

FORMALITIES LETTER



James G Gatto Esq
Hunton & Williams
1900 K Street NW
Washington, DC 20006-1109

Date Mailed: 04/10/2001

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The specification is missing.
A complete specification as prescribed by 35 U.S.C. 112 is required.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- Total additional claim fee(s) for this application is \$80.
 - \$80 for 5 independent claims over 3.
- The oath or declaration is unsigned.
- The balance due by applicant is \$ 80.

*A copy of this notice **MUST** be returned with the reply.*

[Signature]
Customer Service Center

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DEPUTY A/C PATENTS

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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WILLIAMS**

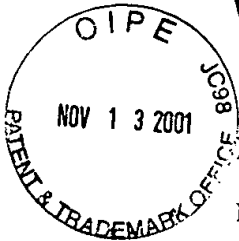
for send back
EK782620719US

1900 K STREET, N.W.
WASHINGTON, D.C. 20006-1109

TEL 202 • 955 • 1500
FAX 202 • 778 • 2201

DEVIN S. MORGAN
DIRECT DIAL: 202 • 955 • 1965
EMAIL: dmorgan@hunton.com

FILE NO: 47382.000016



November 3, 2000

PRIVILEGED AND CONFIDENTIAL

VIA Express Mail

Troy P. Bahan
442 Ribera Drive
Santa Barbara, CA 93111

sent
EK782620722US

Re: Application Serial No: 09/521,858

Dear Troy:

I am an attorney working for Envirotech Systems Corp. You are a named inventor on U.S. Patent No. 5,726,450, which is assigned to Envirotech. The patent relates to your work on the Smog Dog remote emissions sensor. We have recently filed for reissue of the '450 patent in order to remove unnecessary limitations and more accurately claim the novel invention. We need your review and signature to proceed with prosecution of the reissue application.

Please find enclosed a copy of the '450 patent, the preliminary amendment (which describes the changes to be made to the claims), and a new declaration for the reissue application. Please review the preliminary amendment and declaration, then sign the signature page in the declaration that has your name and address on it. If the address is incorrect, please update the address by hand and sign the declaration. Please fax the signed signature page back to me at (202) 778-2201. Please provide a fax cover sheet with my name on it to ensure that I receive it promptly. Ideally, I would like to have the signed page in hand on or before Tuesday, November 7, 2000. I realize that this is short notice, but I would appreciate any efforts you can make to meet that deadline. A pre-addressed envelope with postage is also enclosed for mailing back the signed signature page. Please do not enclose the rest of the declaration.

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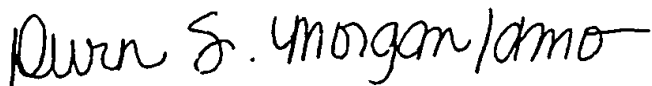
HUNTON &
WILLIAMS

November 3, 2000

Page 2

If you have any questions or concerns regarding the above instructions, the substance of the preliminary amendment and declaration, or anything else, do not hesitate to contact me. If, for any reason, you are unable to review and sign the documents before the deadline, please call me as soon as possible, so that we may discuss other arrangements.

Very truly yours,

A handwritten signature in black ink, appearing to read "Devin S. Morgan/dmo". The signature is fluid and cursive, with a horizontal line extending from the end.

Devin S. Morgan

DSM:dmo

cc: Mary Salgado, ESP

**HUNTON &
WILLIAMS**

for send back
EK782620736US

1900 K STREET, N.W.
WASHINGTON, D.C. 20006-1109

TEL 202 • 955 • 1500
FAX 202 • 778 • 2201

DEVIN S. MORGAN
DIRECT DIAL: 202 • 955 • 1965
EMAIL: dmorgan@hunton.com

November 3, 2000

PRIVILEGED AND CONFIDENTIAL

FILE NO: 47382.000016

VIA Express Mail

Michael D. Jack
75 Coromar Drive
Goleta, CA 93117

Sent

Re: Application Serial No: 09/521,858

EK782620740US

Dear Michael:

I am an attorney working for Envirotech Systems Corp. You are a named inventor on U.S. Patent No. 5,726,450, which is assigned to Envirotech. The patent relates to your work on the Smog Dog remote emissions sensor. We have recently filed for reissue of the '450 patent in order to remove unnecessary limitations and more accurately claim the novel invention. We need your review and signature to proceed with prosecution of the reissue application.

Please find enclosed a copy of the '450 patent, the preliminary amendment (which describes the changes to be made to the claims), and a new declaration for the reissue application. Please review the preliminary amendment and declaration, then sign the signature page in the declaration that has your name and address on it. If the address is incorrect, please update the address by hand and sign the declaration. Please fax the signed signature page back to me at (202) 778-2201. Please provide a fax cover sheet with my name on it to ensure that I receive it promptly. Ideally, I would like to have the signed page in hand on or before Tuesday, November 7, 2000. I realize that this is short notice, but I would appreciate any efforts you can make to meet that deadline. A pre-addressed envelope with postage is also enclosed for mailing back the signed signature page. Please do not enclose the rest of the declaration.

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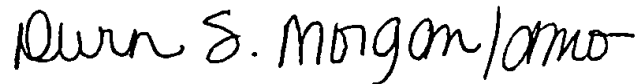
HUNTON &
WILLIAMS

November 3, 2000

Page 2

If you have any questions or concerns regarding the above instructions, the substance of the preliminary amendment and declaration, or anything else, do not hesitate to contact me. If, for any reason, you are unable to review and sign the documents before the deadline, please call me as soon as possible, so that we may discuss other arrangements.

Very truly yours,

A handwritten signature in black ink that reads "Devin S. Morgan/dmo". The signature is written in a cursive, flowing style.

Devin S. Morgan

DSM:dmo

cc: Mary Salgado, ESP

**HUNTON &
WILLIAMS**

for send back
EK782620753US

1900 K STREET, N.W.
WASHINGTON, D.C. 20006-1109

TEL 202 • 955 • 1500
FAX 202 • 778 • 2201

DEVIN S. MORGAN
DIRECT DIAL: 202 • 955 • 1965
EMAIL: dmorgan@hunton.com

November 3, 2000

PRIVILEGED AND CONFIDENTIAL

FILE NO: 47382.000016

VIA Express Mail

George C. Polchin
520 East Victoria Street
Santa Barbara, CA 93111

Re: Application Serial No: 09/521,858

Sent
EK782620767US

Dear George:

I am an attorney working for Envirotech Systems Corp. You are a named inventor on U.S. Patent No. 5,726,450, which is assigned to Envirotech. The patent relates to your work on the Smog Dog remote emissions sensor. We have recently filed for reissue of the '450 patent in order to remove unnecessary limitations and more accurately claim the novel invention. We need your review and signature to proceed with prosecution of the reissue application.

Please find enclosed a copy of the '450 patent, the preliminary amendment (which describes the changes to be made to the claims), and a new declaration for the reissue application. Please review the preliminary amendment and declaration, then sign the signature page in the declaration that has your name and address on it. If the address is incorrect, please update the address by hand and sign the declaration. Please fax the signed signature page back to me at (202) 778-2201. Please provide a fax cover sheet with my name on it to ensure that I receive it promptly. Ideally, I would like to have the signed page in hand on or before Tuesday, November 7, 2000. I realize that this is short notice, but I would appreciate any efforts you can make to meet that deadline. A pre-addressed envelope with postage is also enclosed for mailing back the signed signature page. Please do not enclose the rest of the declaration.

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November 3, 2000

Page 2

If you have any questions or concerns regarding the above instructions, the substance of the preliminary amendment and declaration, or anything else, do not hesitate to contact me. If, for any reason, you are unable to review and sign the documents before the deadline, please call me as soon as possible, so that we may discuss other arrangements.

Very truly yours,

A handwritten signature in cursive script that reads "Devin S. Morgan/dmo".

Devin S. Morgan

DSM:dmo

cc: Mary Salgado, ESP

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WILLIAMS**

for send back
EK782620784US

1900 K STREET, N.W.
WASHINGTON, D.C. 20006-1109

TEL 202 • 955 • 1500
FAX 202 • 778 • 2201

DEVIN S. MORGAN
DIRECT DIAL: 202 • 955 • 1965
EMAIL: dmorgan@hunton.com

November 3, 2000

PRIVILEGED AND CONFIDENTIAL

FILE NO: 47382.000016

VIA Express Mail

David R. Nelson
5350 East Camino Cielo
Santa Barbara, CA 93015

Sent
EK782620775US

Re: Application Serial No: 09/521,858

Dear David:

I am an attorney working for Envirotech Systems Corp. You are a named inventor on U.S. Patent No. 5,726,450, which is assigned to Envirotech. The patent relates to your work on the Smog Dog remote emissions sensor. We have recently filed for reissue of the '450 patent in order to remove unnecessary limitations and more accurately claim the novel invention. We need your review and signature to proceed with prosecution of the reissue application.

Please find enclosed a copy of the '450 patent, the preliminary amendment (which describes the changes to be made to the claims), and a new declaration for the reissue application. Please review the preliminary amendment and declaration, then sign the signature page in the declaration that has your name and address on it. If the address is incorrect, please update the address by hand and sign the declaration. Please fax the signed signature page back to me at (202) 778-2201. Please provide a fax cover sheet with my name on it to ensure that I receive it promptly. Ideally, I would like to have the signed page in hand on or before Tuesday, November 7, 2000. I realize that this is short notice, but I would appreciate any efforts you can make to meet that deadline. A pre-addressed envelope with postage is also enclosed for mailing back the signed signature page. Please do not enclose the rest of the declaration.

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DEPUTY A/C PATENTS

ATLANTA BANGKOK BRUSSELS CHARLOTTE HONG KONG KNOXVILLE LONDON MCLEAN MIAMI
NEW YORK NORFOLK RALEIGH RICHMOND WARSAW WASHINGTON
www.hunton.com

HUNTON &
WILLIAMS

November 3, 2000

Page 2

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Very truly yours,

A handwritten signature in black ink that reads "Devin S. Morgan/cmo". The signature is written in a cursive, flowing style.

Devin S. Morgan

cc: Mary Salgado, ESP

**HUNTON &
WILLIAMS**

*for
send back*

EK782620807US

November 3, 2000

PRIVILEGED AND CONFIDENTIAL

1900 K STREET, N.W.
WASHINGTON, D.C. 20006-1109

TEL 202 • 955 • 1500
FAX 202 • 778 • 2201

DEVIN S. MORGAN
DIRECT DIAL: 202 • 955 • 1965
EMAIL: dmorgan@hunton.com

FILE NO: 47382.000016

VIA Express Mail

SENT

EK782620798US

Jay Peterson
1204 Torro Canyon Road
Montecito, CA 93108

Re: Application Serial No: 09/521,858

Dear Jay:

I am an attorney working for Envirotech Systems Corp. You are a named inventor on U.S. Patent No. 5,726,450, which is assigned to Envirotech. The patent relates to your work on the Smog Dog remote emissions sensor. We have recently filed for reissue of the '450 patent in order to remove unnecessary limitations and more accurately claim the novel invention. We need your review and signature to proceed with prosecution of the reissue application.

Please find enclosed a copy of the '450 patent, the preliminary amendment (which describes the changes to be made to the claims), and a new declaration for the reissue application. Please review the preliminary amendment and declaration, then sign the signature page in the declaration that has your name and address on it. If the address is incorrect, please update the address by hand and sign the declaration. Please fax the signed signature page back to me at (202) 778-2201. Please provide a fax cover sheet with my name on it to ensure that I receive it promptly. Ideally, I would like to have the signed page in hand on or before Tuesday, November 7, 2000. I realize that this is short notice, but I would appreciate any efforts you can make to meet that deadline. A pre-addressed envelope with postage is also enclosed for mailing back the signed signature page. Please do not enclose the rest of the declaration.

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**OFFICE OF PETITIONS
DEPUTY A/C PATENTS**

HUNTON &
WILLIAMS

November 3, 2000

Page 2

If you have any questions or concerns regarding the above instructions, the substance of the preliminary amendment and declaration, or anything else, do not hesitate to contact me. If, for any reason, you are unable to review and sign the documents before the deadline, please call me as soon as possible, so that we may discuss other arrangements.

Very truly yours,

A handwritten signature in black ink that reads "Devin S. Morgan /omo". The signature is written in a cursive, flowing style.

Devin S. Morgan

cc: Mary Salgado, ESP

MINTZ LEVIN
COHN FERRIS
GLOVSKY AND
POPEO PC

Reston
Boston
New York
Washington
New Haven

One Fountain Square
11911 Freedom Drive
Reston, Virginia 20190
703 464 4800
703 464 4895 fax
www.mintz.com

Christopher Cuneo

Direct dial 703 464 8159
ccuneo@mintz.com

October 12, 2001

VIA FEDERAL EXPRESS OVERNIGHT

URGENT!!!

George C. Polchin
520 East Victoria Street
Santa Barbara, CA 93111

Re: Declaration for Reissue Application
U.S. Reissue Patent Application Serial No. 09/708,713, filed Nov. 9, 2000
which is a Continuation of Reissue Application No. 09/521,858, filed Mar. 9, 2000
U.S. Patent No. 5,726,450, issued March 10, 1998
Our Reference No. 23439-016-401

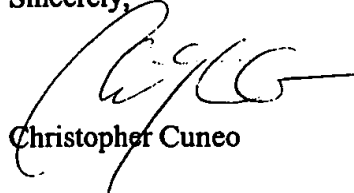
Dear Mr. Polchin:

I am contacting you in connection with a reissue application for U.S. Patent No. 5,726,450, for which you are named as a joint inventor. In order to proceed with the reissue application, the U.S. Patent and Trademark Office requires that the original inventors execute the enclosed Reissue Declaration. I have also enclosed a copy of the 5,726,450 patent and the Preliminary Amendment that includes the desired changes to the patent.

Please sign and date the Reissue Declaration on the space indicated above your name and return the signed copy to me in the enclosed Federal Express envelope. This matter is time sensitive and your prompt attention is appreciated.

In an effort to resolve any questions you may have regarding your involvement in the reissue application process, I have also enclosed a copy of the assignment that you executed in October 1996. If you have any further questions, please do not hesitate to contact me.

Sincerely,



Christopher Cuneo

JGG/CJC:dms

Enclosures: Reissue Declaration
Copy of U.S. Patent No. 5,726,450
Copy of Preliminary Amendment filed March 9, 2000
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Subject: FedEx shipment 790185410630

CHRISTOPHER CUNEO of MINTZ LEVIN COHN FERRIS GLOVSK sent George C. Polchin a Priority Overnight FedEx Pak.

This shipment is scheduled to be sent on 12OCT01.

The tracking number(s) are: 790185410630

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Tracking Number 790185410630
Reference Number 23439-016-401
Ship Date 10/12/2001
Delivered To Recipient
Delivery Location SANTA BARBARA CA
Delivery Date/Time 10/16/2001 10:23
Signed For By 12452683
Service Type Priority Pak

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Delivered GOLETA CA	10/16/2001 10:23	No signature required - release waiver on file
On FedEx vehicle for delivery GOLETA CA	10/16/2001 08:34	
Package status GOLETA CA	10/15/2001 18:25	Package in FedEx location
Delivery attempt GOLETA CA	10/15/2001 09:53	Customer not available or Business closed
On FedEx vehicle for delivery GOLETA CA	10/15/2001 08:20	
Package status GOLETA CA	10/13/2001 12:56	Package not due for delivery
Arrived at FedEx Ramp ONTARIO CA	10/13/2001 09:38	
Arrived at FedEx Destination Location GOLETA CA	10/13/2001 09:02	
Left FedEx Ramp ONTARIO CA	10/13/2001 07:38	
Left FedEx Sort Facility MEMPHIS TN	10/13/2001 05:06	
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Signed for by: 12452683
Delivered to: 520 EAST VICTORIA STREET
Delivery Date: October 16, 2001
Delivery Time: 1023
Shipper Reference Number: 23439-016-401

Shipping Information

Tracking Number: 790185410630
Shipper:
MINTZ LEVIN COHN FERRIS GLOVSK
MINTZ LEVIN COHN FERRIS GLOVSK
11911 FREEDOM DR STE 400
RESTON, VA 201905645
US

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www.mintz.com

Christopher Cuneo

Direct dial 703 464 8159
ccuneo@mintz.com

October 12, 2001

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Jay Peterson
1204 Torro Canyon Road
Montecito, CA 93108

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U.S. Reissue Patent Application Serial No. 09/708,713, filed Nov. 9, 2000
which is a Continuation of Reissue Application No. 09/521,858, filed Mar. 9, 2000
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Our Reference No. 23439-016-401

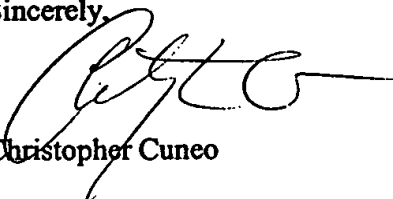
Dear Mr. Peterson:

I am contacting you in connection with a reissue application for U.S. Patent No. 5,726,450, for which you are named as a joint inventor. In order to proceed with the reissue application, the U.S. Patent and Trademark Office requires that the original inventors execute the enclosed Reissue Declaration. I have also enclosed a copy of the 5,726,450 patent and the Preliminary Amendment that includes the desired changes to the patent.

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Christopher Cuneo

JGG/CJC:dms

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Sasaki, Doreen M.

From: Sasaki, Doreen M.
Sent: Friday, October 12, 2001 4:23 PM
To: Sasaki, Doreen M.
Subject: FedEx shipment 790185373573

DOREEN M SASAKI of MINTZ LEVIN COHN FERRIS GLOVSK sent Jay Peterson a Priority Overnight FedEx Pak.

This shipment is scheduled to be sent on 12OCT01.

The tracking number(s) are: 790185373573

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Tracking Number 790185373573
Reference Number 23439-016-401
Ship Date 10/12/2001
Delivered To Recipient
Delivery Location SANTA BARBARA CA
Delivery Date/Time 10/15/2001 10:12
Signed For By 1751419
Service Type Priority Pak

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Package status GOLETA CA	10/13/2001 12:56	Package not due for delivery
Arrived at FedEx Ramp ONTARIO CA	10/13/2001 09:38	
Arrived at FedEx Destination Location GOLETA CA	10/13/2001 09:02	
Left FedEx Ramp ONTARIO CA	10/13/2001 07:38	
Left FedEx Sort Facility MEMPHIS TN	10/13/2001 05:06	
Left FedEx Sort Facility MEMPHIS TN	10/13/2001 00:30	
Arrived at Sort Facility MEMPHIS TN	10/12/2001 23:47	
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Signed for by: 1751419
Delivered to: 1204 TORO CANYON RD
Delivery Date: October 15, 2001
Delivery Time: 1012
Shipper Reference Number: 23439-016-401

Shipping Information

Tracking Number: 790185373573
Shipper:
DOREEN M SASAKI
MINTZ LEVIN COHN FERRIS GLOVSK
11911 FREEDOM DR STE 400
RESTON, VA 201905645

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Christopher Cuneo

Direct dial 703 464 8159
ccuneo@mintz.com

October 12, 2001

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Troy P. Bahan
442 Ribera Drive
Santa Barbara, CA 93111

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U.S. Reissue Patent Application Serial No. 09/708,713, filed Nov. 9, 2000
which is a Continuation of Reissue Application No. 09/521,858, filed Mar. 9, 2000
U.S. Patent No. 5,726,450, issued March 10, 1998
Our Reference No. 23439-016-401

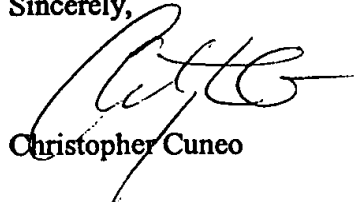
Dear Mr. Bahan:

I am contacting you in connection with a reissue application for U.S. Patent No. 5,726,450, for which you are named as a joint inventor. In order to proceed with the reissue application, the U.S. Patent and Trademark Office requires that the original inventors execute the enclosed Reissue Declaration. I have also enclosed a copy of the 5,726,450 patent and the Preliminary Amendment that includes the desired changes to the patent.

Please sign and date the Reissue Declaration on the space indicated above your name and return the signed copy to me in the enclosed Federal Express envelope. This matter is time sensitive and your prompt attention is appreciated.

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Sincerely,



Christopher Cuneo

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From: Sasaki, Doreen M.
Sent: Friday, October 12, 2001 4:30 PM
To: Sasaki, Doreen M.
Subject: FedEx shipment 790964812384

CHRISTOPHER CUNEO of MINTZ LEVIN COHN FERRIS GLOVSK sent Troy A. Bahan a Priority Overnight FedEx Pak.

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Tracking Number 790964812384
Reference Number 23439-016-401
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Delivered To
Delivery Location SANTA BARBARA CA
Delivery Date/Time
Signed For By
Service Type Priority Pak

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Package status GOLETA CA	10/15/2001 17:21	Package in FedEx location
Delivery attempt GOLETA CA	10/15/2001 08:37	Incorrect address
Package status GOLETA CA	10/13/2001 12:56	Package not due for delivery
Arrived at FedEx Ramp ONTARIO CA	10/13/2001 09:38	
Arrived at FedEx Destination Location GOLETA CA	10/13/2001 09:02	
Left FedEx Ramp ONTARIO CA	10/13/2001 07:38	
Left FedEx Sort Facility MEMPHIS TN	10/13/2001 05:06	
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Left FedEx Ramp DULLES VA	10/12/2001 23:09	
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David R. Nelson
520 East Victoria Street
Santa Barbara, California 93111

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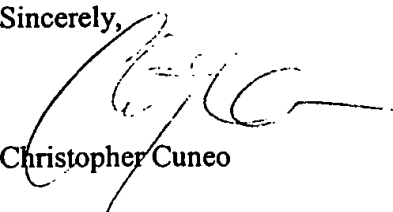
Dear Mr. Nelson:

I am contacting you in connection with a reissue application for U.S. Patent No. 5,726,450, for which you are named as a joint inventor. In order to proceed with the reissue application, the U.S. Patent and Trademark Office requires that the original inventors execute the enclosed Reissue Declaration. I have also enclosed a copy of the 5,726,450 patent and the Preliminary Amendment that includes the desired changes to the patent.

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JGG/CJC:dms

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Sasaki, Doreen M.

From: Sasaki, Doreen M.
Sent: Friday, October 12, 2001 4:38 PM
To: Sasaki, Doreen M.
Subject: FedEx shipment 790185424590

CHRISTOPHER CUNEO of MINTZ LEVIN COHN FERRIS GLOVSK sent David R. Nelson
a Priority Overnight FedEx Pak.

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Tracking Number 790185424590
Reference Number 23439-016-401
Ship Date 10/12/2001
Delivered To Recipient
Delivery Location SANTA BARBARA CA
Delivery Date/Time 10/16/2001 13:12
Signed For By G. CLAUDRIA
Service Type Priority Pak

Tracking Options

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Scan Activity	Date/Time	Comments
Delivered GOLETA CA	10/16/2001 13:12	No signature required - release waiver on file
Delivered GOLETA CA	10/16/2001 13:12	No signature required - release waiver on file
On FedEx vehicle for delivery GOLETA CA	10/16/2001 11:34	
On FedEx vehicle for delivery GOLETA CA	10/16/2001 08:32	
Package status GOLETA CA	10/15/2001 18:25	Package in FedEx location
Delivery attempt GOLETA CA	10/15/2001 09:53	Customer not available or Business closed
On FedEx vehicle for delivery GOLETA CA	10/15/2001 08:20	
Package status GOLETA CA	10/13/2001 12:56	Package not due for delivery
Arrived at FedEx Ramp ONTARIO CA	10/13/2001 09:38	
Arrived at FedEx Destination Location GOLETA CA	10/13/2001 09:02	
Left FedEx Ramp ONTARIO CA	10/13/2001 07:38	
Left FedEx Sort Facility MEMPHIS TN	10/13/2001 05:06	
Left FedEx Sort Facility MEMPHIS TN	10/13/2001 00:43	

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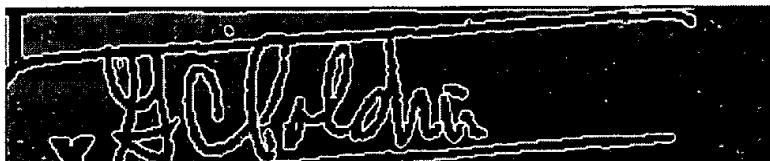
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Delivery Location: 520E VICTORIA

Delivery Date: October 16, 2001

Delivery Time: 1312

Shipping Information:

Tracking No: 790185424590

Ship Date: October 12, 2001

Recipient:

DAVID R. NELSON

520 EAST VICTORIA STREET
SANTA BARBARA, CA 93111
US

Shipper:

MINTZ LEVIN COHN FERRIS GLOVSK
MINTZ LEVIN COHN FERRIS GLOVSK
11911 FREEDOM DR STE 400
RESTON, VA 201905645
US

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11911 Freedom Drive
Reston, Virginia 20190
703 464 4800
703 464 4895 fax
www.mintz.com

Christopher Cuneo

Direct dial 703 464 8159
ccuneo@mintz.com

October 12, 2001

VIA FEDERAL EXPRESS OVERNIGHT

URGENT!!!

Michael D. Jack
75 Coromar Drive
Goleta, CA 93117

Re: Declaration for Reissue Application
U.S. Reissue Patent Application Serial No. 09/708,713, filed Nov. 9, 2000
which is a Continuation of Reissue Application No. 09/521,858, filed Mar. 9, 2000
U.S. Patent No. 5,726,450, issued March 10, 1998
Our Reference No. 23439-016-401

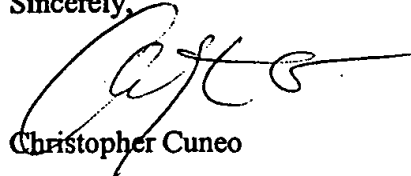
Dear Mr. Jack:

I am contacting you in connection with a reissue application for U.S. Patent No. 5,726,450, for which you are named as a joint inventor. In order to proceed with the reissue application, the U.S. Patent and Trademark Office requires that the original inventors execute the enclosed Reissue Declaration. I have also enclosed a copy of the 5,726,450 patent and the Preliminary Amendment that includes the desired changes to the patent.

Please sign and date the Reissue Declaration on the space indicated above your name and return the signed copy to me in the enclosed Federal Express envelope. This matter is time sensitive and your prompt attention is appreciated.

In an effort to resolve any questions you may have regarding your involvement in the reissue application process, I have also enclosed a copy of the assignment that you executed in October 1996. If you have any further questions, please do not hesitate to contact me.

Sincerely,



Christopher Cuneo

JGG/CJC:dms

Enclosures: Reissue Declaration
Copy of U.S. Patent No. 5,726,450
Copy of Preliminary Amendment filed March 9, 2000
Return Federal Express Envelope

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Sasaki, Doreen M.

From: Sasaki, Doreen M.
Sent: Friday, October 12, 2001 4:17 PM
To: Sasaki, Doreen M.
Subject: FedEx shipment 790964801240

CHRISTOPHER CUNEO of MINTZ LEVIN COHN FERRIS GLOVSK sent Michael D. Jack
a Priority Overnight FedEx Pak.

This shipment is scheduled to be sent on 12OCT01.

The tracking number(s) are: 790964801240

To track this shipment online click on the following link:
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&action=track&language=english&cntry_code=us](http://www.fedex.com/cgi-bin/tracking?tracknumbers=790964801240&action=track&language=english&cntry_code=us)

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Tracking Number 790964801240
Reference Number 23439-016-401
Ship Date 10/12/2001
Delivered To Ship'g/Receiv'g
Delivery Location SANTA BARBARA CA
Delivery Date/Time 10/15/2001 08:59
Signed For By T.JIMENEZ
Service Type Priority Pak

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On FedEx vehicle for delivery GOLETA CA	10/15/2001 07:50	
Package status GOLETA CA	10/13/2001 12:56	Package not due for delivery
Arrived at FedEx Ramp ONTARIO CA	10/13/2001 09:38	
Arrived at FedEx Destination Location GOLETA CA	10/13/2001 09:02	
Left FedEx Ramp ONTARIO CA	10/13/2001 07:38	
Left FedEx Sort Facility MEMPHIS TN	10/13/2001 05:06	
Left FedEx Sort Facility MEMPHIS TN	10/13/2001 00:40	
Arrived at Sort Facility MEMPHIS TN	10/12/2001 23:47	
Left FedEx Ramp DULLES VA	10/12/2001 23:09	
Left FedEx Origin Location HERNDON VA	10/12/2001 21:50	
Picked up by FedEx HERNDON VA	10/12/2001 19:35	

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Memphis, TN 38194-4643

Telephone: 901-369-3600

11/13/2001

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Here is the proof of delivery for the shipment with tracking number **790964801240**. Our records reflect the following information.

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Signed For By: T.JIMENEZ

Delivery Location: 26 CASTILIAN DR

Delivery Date: October 15, 2001

Delivery Time: 0859

Shipping Information:

Tracking No: 790964801240

Ship Date: October 12, 2001

Recipient:

MICHAEL D. JACK

75 COROMAR DRIVE

SANTA BARBARA, CA 93117

US

Shipper:

CHRISTOPHER CUNEO

MINTZ LEVIN COHN FERRIS GLOVSK

11911 FREEDOM DR STE 400

RESTON, VA 201905645

Shipment Reference Information:

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DEVIN S. MORGAN
DIRECT DIAL: 202 • 955 • 1965
EMAIL: dmorgan@hunton.com

November 3, 2000

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FILE NO: 47382.000016

VIA Express Mail

David R. Nelson
5350 East Camino Cielo
Santa Barbara, CA 93015

Sent
EK782620775US

Re: Application Serial No: 09/521,858

Dear David:

I am an attorney working for Envirotech Systems Corp. You are a named inventor on U.S. Patent No. 5,726,450, which is assigned to Envirotech. The patent relates to your work on the Smog Dog remote emissions sensor. We have recently filed for reissue of the '450 patent in order to remove unnecessary limitations and more accurately claim the novel invention. We need your review and signature to proceed with prosecution of the reissue application.

Please find enclosed a copy of the '450 patent, the preliminary amendment (which describes the changes to be made to the claims), and a new declaration for the reissue application. Please review the preliminary amendment and declaration, then sign the signature page in the declaration that has your name and address on it. If the address is incorrect, please update the address by hand and sign the declaration. Please fax the signed signature page back to me at (202) 778-2201. Please provide a fax cover sheet with my name on it to ensure that I receive it promptly. Ideally, I would like to have the signed page in hand on or before Tuesday, November 7, 2000. I realize that this is short notice, but I would appreciate any efforts you can make to meet that deadline. A pre-addressed envelope with postage is also enclosed for mailing back the signed signature page. Please do not enclose the rest of the declaration.

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Page 2

If you have any questions or concerns regarding the above instructions, the substance of the preliminary amendment and declaration, or anything else, do not hesitate to contact me. If, for any reason, you are unable to review and sign the documents before the deadline, please call me as soon as possible, so that we may discuss other arrangements.

Very truly yours,

A handwritten signature in black ink that reads "Devin S. Morgan / cmo". The signature is written in a cursive, flowing style.

Devin S. Morgan

cc: Mary Salgado, ESP

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EMAIL: dmorgan@hunton.com

November 3, 2000

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FILE NO: 47382.000016

VIA Express Mail

Michael D. Jack
75 Coromar Drive
Goleta, CA 93117

Re: Application Serial No: 09/521,858

sent
EK782620740US

Dear Michael:

I am an attorney working for Envirotech Systems Corp. You are a named inventor on U.S. Patent No. 5,726,450, which is assigned to Envirotech. The patent relates to your work on the Smog Dog remote emissions sensor. We have recently filed for reissue of the '450 patent in order to remove unnecessary limitations and more accurately claim the novel invention. We need your review and signature to proceed with prosecution of the reissue application.

Please find enclosed a copy of the '450 patent, the preliminary amendment (which describes the changes to be made to the claims), and a new declaration for the reissue application. Please review the preliminary amendment and declaration, then sign the signature page in the declaration that has your name and address on it. If the address is incorrect, please update the address by hand and sign the declaration. Please fax the signed signature page back to me at (202) 778-2201. Please provide a fax cover sheet with my name on it to ensure that I receive it promptly. Ideally, I would like to have the signed page in hand on or before Tuesday, November 7, 2000. I realize that this is short notice, but I would appreciate any efforts you can make to meet that deadline. A pre-addressed envelope with postage is also enclosed for mailing back the signed signature page. Please do not enclose the rest of the declaration.

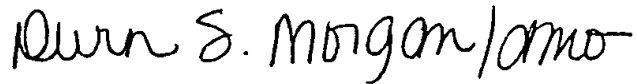
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November 3, 2000

Page 2

If you have any questions or concerns regarding the above instructions, the substance of the preliminary amendment and declaration, or anything else, do not hesitate to contact me. If, for any reason, you are unable to review and sign the documents before the deadline, please call me as soon as possible, so that we may discuss other arrangements.

Very truly yours,

A handwritten signature in black ink that reads "Devin S. Morgan/dmo". The signature is written in a cursive, flowing style.

Devin S. Morgan

DSM:dmo

cc: Mary Salgado, ESP

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send back

EK782620807US

November 3, 2000

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VIA Express Mail

Jay Peterson
1204 Torro Canyon Road
Montecito, CA 93108

Re: Application Serial No: 09/521,858

Dear Jay:

I am an attorney working for Envirotech Systems Corp. You are a named inventor on U.S. Patent No. 5,726,450, which is assigned to Envirotech. The patent relates to your work on the Smog Dog remote emissions sensor. We have recently filed for reissue of the '450 patent in order to remove unnecessary limitations and more accurately claim the novel invention. We need your review and signature to proceed with prosecution of the reissue application.

Please find enclosed a copy of the '450 patent, the preliminary amendment (which describes the changes to be made to the claims), and a new declaration for the reissue application. Please review the preliminary amendment and declaration, then sign the signature page in the declaration that has your name and address on it. If the address is incorrect, please update the address by hand and sign the declaration. Please fax the signed signature page back to me at (202) 778-2201. Please provide a fax cover sheet with my name on it to ensure that I receive it promptly. Ideally, I would like to have the signed page in hand on or before Tuesday, November 7, 2000. I realize that this is short notice, but I would appreciate any efforts you can make to meet that deadline. A pre-addressed envelope with postage is also enclosed for mailing back the signed signature page. Please do not enclose the rest of the declaration.

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DEVIN S. MORGAN
DIRECT DIAL: 202 • 955 • 1965
EMAIL: dmorgan@hunton.com

FILE NO: 47382.000016

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November 3, 2000

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If you have any questions or concerns regarding the above instructions, the substance of the preliminary amendment and declaration, or anything else, do not hesitate to contact me. If, for any reason, you are unable to review and sign the documents before the deadline, please call me as soon as possible, so that we may discuss other arrangements.

Very truly yours,

A handwritten signature in black ink that reads "Devin S. Morgan /omo". The signature is written in a cursive, flowing style.

Devin S. Morgan

cc: Mary Salgado, ESP

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EMAIL: dmorgan@hunton.com

November 3, 2000

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FILE NO: 47382.000016

VIA Express Mail

George C. Polchin
520 East Victoria Street
Santa Barbara, CA 93111

Re: Application Serial No: 09/521,858

Sent
EK782620767US

Dear George:

I am an attorney working for Envirotech Systems Corp. You are a named inventor on U.S. Patent No. 5,726,450, which is assigned to Envirotech. The patent relates to your work on the Smog Dog remote emissions sensor. We have recently filed for reissue of the '450 patent in order to remove unnecessary limitations and more accurately claim the novel invention. We need your review and signature to proceed with prosecution of the reissue application.

Please find enclosed a copy of the '450 patent, the preliminary amendment (which describes the changes to be made to the claims), and a new declaration for the reissue application. Please review the preliminary amendment and declaration, then sign the signature page in the declaration that has your name and address on it. If the address is incorrect, please update the address by hand and sign the declaration. Please fax the signed signature page back to me at (202) 778-2201. Please provide a fax cover sheet with my name on it to ensure that I receive it promptly. Ideally, I would like to have the signed page in hand on or before Tuesday, November 7, 2000. I realize that this is short notice, but I would appreciate any efforts you can make to meet that deadline. A pre-addressed envelope with postage is also enclosed for mailing back the signed signature page. Please do not enclose the rest of the declaration.

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November 3, 2000

Page 2

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Very truly yours,

A handwritten signature in black ink that reads "Devin S. Morgan/dmo". The signature is written in a cursive, flowing style.

Devin S. Morgan

DSM:dmo

cc: Mary Salgado, ESP

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WASHINGTON, D.C. 20006-1109

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DEVIN S. MORGAN
DIRECT DIAL: 202 • 955 • 1965
EMAIL: dmorgan@hunton.com

November 3, 2000

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FILE NO: 47382.000016

VIA Express Mail

Troy P. Bahan
442 Ribera Drive
Santa Barbara, CA 93111

sent
EK782620722US

Re: Application Serial No: 09/521,858

Dear Troy:

I am an attorney working for Envirotech Systems Corp. You are a named inventor on U.S. Patent No. 5,726,450, which is assigned to Envirotech. The patent relates to your work on the Smog Dog remote emissions sensor. We have recently filed for reissue of the '450 patent in order to remove unnecessary limitations and more accurately claim the novel invention. We need your review and signature to proceed with prosecution of the reissue application.

Please find enclosed a copy of the '450 patent, the preliminary amendment (which describes the changes to be made to the claims), and a new declaration for the reissue application. Please review the preliminary amendment and declaration, then sign the signature page in the declaration that has your name and address on it. If the address is incorrect, please update the address by hand and sign the declaration. Please fax the signed signature page back to me at (202) 778-2201. Please provide a fax cover sheet with my name on it to ensure that I receive it promptly. Ideally, I would like to have the signed page in hand on or before Tuesday, November 7, 2000. I realize that this is short notice, but I would appreciate any efforts you can make to meet that deadline. A pre-addressed envelope with postage is also enclosed for mailing back the signed signature page. Please do not enclose the rest of the declaration.

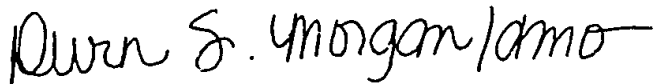
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November 3, 2000

Page 2

If you have any questions or concerns regarding the above instructions, the substance of the preliminary amendment and declaration, or anything else, do not hesitate to contact me. If, for any reason, you are unable to review and sign the documents before the deadline, please call me as soon as possible, so that we may discuss other arrangements.

Very truly yours,

A handwritten signature in black ink that reads "Devin S. Morgan/dmo". The signature is written in a cursive, flowing style.

Devin S. Morgan

DSM:dmo

cc: Mary Salgado, ESP

Morgan, Devin

From: David R Nelson [dnelson@west.raytheon.com]
Sent: Tuesday, November 07, 2000 1:41 PM
To: Morgan, Devin
Cc: 'David R Nelson'; Mary Salgado (E-mail); Jay Peterson; George C Polchin; Michael D Jack
Subject: RE: Reissue of U.S. Patent No. 5,726,450

Mr. Devin,

I am coordinating with Dr. Jack, Mr. Peterson, and Mr. Polchin. Troy Bahan, the other inventor, is no longer employed here and I do not know how to get in touch with him. As soon as I hear from our attorney and technical director, I will get back in touch. If you need to call me, I can be reached at (805) 562-2289.

Sincerely,

David R Nelson

"Morgan, Devin" <DMorgan@hunton.com> on 11/07/2000 10:20:44 AM

To: "'David R Nelson'" <dnelson@west.raytheon.com>
cc: "Mary Salgado (E-mail)" <mary.salgado@etest.com>

Subject: RE: Reissue of U.S. Patent No. 5,726,450

Mr. Nelson,

I understand the need to review the documents thoroughly. I will do what I can to extend various deadlines. However, time is important, so please be diligent in your review. If you, Mr. Schubert, or Mr. Baur have any questions or would like to discuss any of the documents, please do not hesitate to contact me.

It is my understanding that Mr. Michael Jack is also employed at Raytheon. Will he need the same individuals to review the documents I sent him? The documents are identical. If you could coordinate with him to prevent duplicate effort and save time, it would be most appreciated.

Please keep me informed of your progress and let me know whether I need to coordinate with Mr. Jack separately. Thank you for your assistance in this matter.

Sincerely,

Devin S. Morgan

-----Original Message-----

From: David R Nelson [mailto:dnelson@west.raytheon.com]
Sent: Tuesday, November 07, 2000 1:01 PM
To: Morgan, Devin
Cc: 'Mary.Salgado@etest.com'; William C Schubert; Stefan T Baur
Subject: Re: Reissue of U.S. Patent No. 5,726,450

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Mr. Morgan,

I have spoken to our attorney, Mr. Bill Schubert, and he has advised me to carefully review the content of these documents before signing them. I have asked Mr. Schubert to also review these documents and he will not be able to do so until next week. Also, I have asked our technical director, Mr. Stephan Baur, to review this as well. Unfortunately we cannot give you an answer today, but we will do so as soon as possible.

Thanks,

David R Nelson
Raytheon Infrared Operations

"Morgan, Devin" <DMorgan@hunton.com> on 11/02/2000 02:56:01 PM

To: "'dnelson@notes.west.raytheon.com'" <dnelson@notes.west.raytheon.com>
cc: "'Mary.Salgado@etest.com'" <Mary.Salgado@etest.com>

Subject: Reissue of U.S. Patent No. 5,726,450

Mr. Nelson,

I am an attorney working for Envirotech Systems Corp. You are a named inventor on U.S. Patent No. 5,726,450, which is assigned to Envirotech. The patent relates to your work on the Smog Dog remote emissions sensor. We have recently filed for reissue of the '450 patent in order to remove unnecessary limitations and more accurately claim the novel invention. We need your review and signature to proceed with prosecution of the reissue application. Mary Salgado has previously e-mailed you about this.

Attached is a copy of the '450 patent (.pdf file), the preliminary amendment (which describes the changes to be made to the claims), and a new declaration for the reissue application. Please review the preliminary amendment and declaration. Please print out the declaration and sign the signature page that has your name and address on it. If the address is incorrect, please update the address by hand and sign the declaration. Please fax the signed signature page back to me at (202) 778-2201. Please provide a fax cover sheet with my name on it to ensure that I receive it promptly. Ideally, I would like to have the signed page in hand on or before Tuesday, November 7, 2000. I realize that this is short notice, but I would appreciate any efforts you can make to meet that deadline. Please mail the original of the signed page to me at the address below. It is not necessary to enclose the rest of the declaration.

Hard copies of these documents are also being mailed to your home addresses.

You do not need to execute, fax, or mail the declaration twice. I am merely sending the hard copies in case there are any problems receiving the electronic documents.

If you have any questions or concerns regarding the above instructions, the substance of the preliminary amendment and declaration, or anything else, do not hesitate to contact me. If, for any reason, you are unable to review and sign the documents before the deadline, please call me as soon as possible, so that we may discuss other arrangements.

Thank you very much for your assistance.

Sincerely,

Devin Morgan

Devin S. Morgan
Hunton & Williams
1900 K Street NW
Washington, DC 20006
Tel: (202) 955-1965
Fax: (202) 778-2201
DMorgan@Hunton.com

<<us-5726450-.pdf>> <<450 reissue declaration.doc>> <<450 preliminary amendment.doc>>

(See attached file: us-5726450-.pdf)
(See attached file: 450 reissue declaration.doc)
(See attached file: 450 preliminary amendment.doc)

Morgan, Devin

From: Morgan, Devin
Sent: Wednesday, January 17, 2001 10:17 AM
To: 'David R Nelson'
Cc: Mary Salgado (E-mail)
Subject: RE: Reissue of U.S. Patent No. 5,726,450

Dear Mr. Nelson,

I am writing to inquire about the status of your review of the reissue application for U.S. Patent No. 5,726,450. Hopefully, you, the other inventors, Mr. Schubert, and Mr. Baur have been able to at least begin your review of the application in the two months since we last corresponded. I am anxious for any comments you may have and looking forward to receiving the executed documents necessary to complete the application's filing.

Please understand that I am not trying to be difficult and do not mean to harass you. I am simply conscious of the deadlines imposed by the Patent and Trademark Office and trying to ensure that this matter proceeds smoothly.

Any update you can provide would be greatly appreciated. I hope that you had a pleasant holiday season and appreciate your assistance in this matter.

Sincerely,

Devin S. Morgan

-----Original Message-----

From: David R Nelson [mailto:dnelson@west.raytheon.com]
Sent: Tuesday, November 07, 2000 1:41 PM
To: Morgan, Devin
Cc: 'David R Nelson'; Mary Salgado (E-mail); Jay Peterson; George C Polchin; Michael D Jack
Subject: RE: Reissue of U.S. Patent No. 5,726,450

Mr. Devin,

I am coordinating with Dr. Jack, Mr. Peterson, and Mr. Polchin. Troy Bahan, the other inventor, is no longer employeeed here and I do not know how to get in touch with him. As soon as I hear from our attorney and technical director, I will get back in touch. If you need to call me, I can be reached at (805) 562-2289.

Sincerely,

David R Nelson

"Morgan, Devin" <DMorgan@hunton.com> on 11/07/2000 10:20:44 AM

To: "'David R Nelson'" <dnelson@west.raytheon.com>
cc: "Mary Salgado (E-mail)" <mary.salgado@etest.com>

Subject: RE: Reissue of U.S. Patent No. 5,726,450

Mr. Nelson,

I understand the need to review the documents thoroughly. I will do what I

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can to extend various deadlines. However, time is important, so please be diligent in your review. If you, Mr. Schubert, or Mr. Baur have any questions or would like to discuss any of the documents, please do not hesitate to contact me.

It is my understanding that Mr. Michael Jack is also employed at Raytheon. Will he need the same individuals to review the documents I sent him? The documents are identical. If you could coordinate with him to prevent duplicate effort and save time, it would be most appreciated.

Please keep me informed of your progress and let me know whether I need to coordinate with Mr. Jack separately. Thank you for your assistance in this matter.

Sincerely,

Devin S. Morgan

-----Original Message-----

From: David R Nelson [mailto:dnelson@west.raytheon.com]
Sent: Tuesday, November 07, 2000 1:01 PM
To: Morgan, Devin
Cc: 'Mary.Salgado@etest.com'; William C Schubert; Stefan T Baur
Subject: Re: Reissue of U.S. Patent No. 5,726,450

Mr. Morgan,

I have spoken to our attorney, Mr. Bill Schubert, and he has advised me to carefully review the content of these documents before signing them. I have asked Mr. Schubert to also review these documents and he will not be able to do so until next week. Also, I have asked our technical director, Mr. Stephan Baur, to review this as well. Unfortunately we cannot give you an answer today, but we will do so as soon as possible.

Thanks,

David R Nelson
Raytheon Infrared Operations

"Morgan, Devin" <DMorgan@hunton.com> on 11/02/2000 02:56:01 PM

To: "'dnelson@notes.west.raytheon.com'" <dnelson@notes.west.raytheon.com>
cc: "'Mary.Salgado@etest.com'" <Mary.Salgado@etest.com>
Subject: Reissue of U.S. Patent No. 5,726,450

Mr. Nelson,

I am an attorney working for Envirotech Systems Corp. You are a named inventor on U.S. Patent No. 5,726,450, which is assigned to Envirotech. The patent relates to your work on the Smog Dog remote emissions sensor. We have recently filed for reissue of the '450 patent in order to remove unnecessary limitations and more accurately claim the novel invention. We need your review and signature to proceed with prosecution of the reissue application. Mary Salgado has previously e-mailed you about this.

Attached is a copy of the '450 patent (.pdf file), the preliminary amendment

(which describes the changes to . . . made to the claims), and a re
declaration for the reissue application. Please review the preliminary
amendment and declaration. Please print out the declaration and sign the
signature page that has your name and address on it. If the address is
incorrect, please update the address by hand and sign the declaration.
Please fax the signed signature page back to me at (202) 778-2201. Please
provide a fax cover sheet with my name on it to ensure that I receive it
promptly. Ideally, I would like to have the signed page in hand on or
before Tuesday, November 7, 2000. I realize that this is short notice, but
I would appreciate any efforts you can make to meet that deadline. Please
mail the original of the signed page to me at the address below. It is not
necessary to enclose the rest of the declaration.

Hard copies of these documents are also being mailed to your home
addresses.

You do not need to execute, fax, or mail the declaration twice. I am
merely
sending the hard copies in case there are any problems receiving the
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possible, so that we may discuss other arrangements.

Thank you very much for your assistance.

Sincerely,

Devin Morgan

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Washington, DC 20006
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DMorgan@Hunton.com

<<us-5726450-.pdf>> <<450 reissue declaration.doc>> <<450 preliminary
amendment.doc>>

(See attached file: us-5726450-.pdf)
(See attached file: 450 reissue declaration.doc)
(See attached file: 450 preliminary amendment.doc)

Morgan, Devin

From: Morgan, Devin
Sent: Tuesday, February 13, 2001 9:02 AM
To: 'David R Nelson'
Cc: 'Bill.Parker@etest.com'
Subject: RE: Reissue of U.S. Patent No. 5,726,450



us-5726450-.pdf



450 reissue
declaration.doc



450 preliminary
amendment.doc

Dave,

Thank you for getting back to me. Attached are the documents for your review. Let me know if you would prefer me to send them in another form, such as via fax or regular mail.

As I have previously mentioned, this matter is rather time sensitive. Assuming you find nothing objectionable in the documents, please sign the declaration and return it to me as soon as possible. Also, are you still willing to be the liaison to the other inventors working at Raytheon (Dr. Jack, Mr. Peterson, and Mr. Polchin)? It would be easiest for me if I could receive a single copy of the declaration with all of your signatures. If you are no longer going to be coordinating, please let me know so I can contact them separately.

Do not hesitate to call me if you have any questions about the documents or what I am asking you to do. Thank you for your time and attention.

Sincerely,

Devin

-----Original Message-----

From: David R Nelson [mailto:dnelson@west.raytheon.com]
Sent: Monday, February 12, 2001 7:04 PM
To: Morgan, Devin
Cc: Jay Peterson; Michael D Jack; Stefan T Baur
Subject: RE: Reissue of U.S. Patent No. 5,726,450

Devin,

I have been informed by my company, Raytheon, that the company has no further interest in this patent and it is solely up to us inventors if we wish to sign the reissue of the patent. Since I have misplaced the document you sent before, could you please resend it and we'll take another look.

Thanks,

Dave Nelson

"Morgan, Devin" <DMorgan@hunton.com> on 01/17/2001 07:16:41 AM

To: "'David R Nelson'" <dnelson@west.raytheon.com>
cc: "Mary Salgado (E-mail)" <mary.salgado@etest.com>

Subject: RE: Reissue of U.S. Patent No. 5,726,450

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Dear Mr. Nelson,

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Please understand that I am not trying to be difficult and do not mean to harass you. I am simply conscious of the deadlines imposed by the Patent and Trademark Office and trying to ensure that this matter proceeds smoothly.

Any update you can provide would be greatly appreciated. I hope that you had a pleasant holiday season and appreciate your assistance in this matter.

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From: David R Nelson [mailto:dnelson@west.raytheon.com]
Sent: Tuesday, November 07, 2000 1:41 PM
To: Morgan, Devin
Cc: 'David R Nelson'; Mary Salgado (E-mail); Jay Peterson; George C Polchin; Michael D Jack
Subject: RE: Reissue of U.S. Patent No. 5,726,450

Mr. Devin,

I am coordinating with Dr. Jack, Mr. Peterson, and Mr. Polchin. Troy Bahan, the other inventor, is no longer employed here and I do not know how to get in touch with him. As soon as I hear from our attorney and technical director, I will get back in touch. If you need to call me, I can be reached at (805) 562-2289.

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David R Nelson

"Morgan, Devin" <DMorgan@hunton.com> on 11/07/2000 10:20:44 AM

To: "'David R Nelson'" <dnelson@west.raytheon.com>
cc: "Mary Salgado (E-mail)" <mary.salgado@etest.com>

Subject: RE: Reissue of U.S. Patent No. 5,726,450

Mr. Nelson,

I understand the need to review the documents thoroughly. I will do what I can to extend various deadlines. However, time is important, so please be diligent in your review. If you, Mr. Schubert, or Mr. Baur have any questions or would like to discuss any of the documents, please do not hesitate to contact me.

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Sent: Tuesday, November 07, 2000 1:01 PM

To: Morgan, Devin

Cc: 'Mary.Salgado@etest.com'; William C Schubert; Stefan T Baur

Subject: Re: Reissue of U.S. Patent No. 5,726,450

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David R Nelson
Raytheon Infrared Operations

"Morgan, Devin" <DMorgan@hunton.com> on 11/02/2000 02:56:01 PM

To: "'dnelson@notes.west.raytheon.com'" <dnelson@notes.west.raytheon.com>

cc: "'Mary.Salgado@etest.com'" <Mary.Salgado@etest.com>

Subject: Reissue of U.S. Patent No. 5,726,450

Mr. Nelson,

I am an attorney working for Envirotec Systems Corp. You are a named inventor on U.S. Patent No. 5,726,450, which is assigned to Envirotec. The

patent relates to your work on the Smog Dog remote emissions sensor. We have recently filed for reissue of the '450 patent in order to remove unnecessary limitations and more accurately claim the novel invention. We need your review and signature to proceed with prosecution of the reissue application. Mary Salgado has previously e-mailed you about this.

Attached is a copy of the '450 patent (.pdf file), the preliminary amendment

(which describes the changes to be made to the claims), and a new declaration for the reissue application. Please review the preliminary amendment and declaration. Please print out the declaration and sign the signature page that has your name and address on it. If the address is incorrect, please update the address by hand and sign the declaration. Please fax the signed signature page back to me at (202) 778-2201. Please provide a fax cover sheet with my name on it to ensure that I receive it promptly. Ideally, I would like to have the signed page in hand on or

before Tuesday, November 7, 2000. I realize that this is short notice, but I would appreciate any efforts you can make to meet that deadline. Please mail the original of the signed page to me at the address below. It is not necessary to enclose the rest of the declaration.

Hard copies of these documents are also being mailed to your home addresses.

You do not need to execute, fax, or mail the declaration twice. I am merely sending the hard copies in case there are any problems receiving the electronic documents.

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Devin Morgan

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Hunton & Williams
1900 K Street NW
Washington, DC 20006
Tel: (202) 955-1965
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DMorgan@Hunton.com

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(See attached file: 450 reissue declaration.doc)
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703 464 4895 fax
www.mintz.com

Christopher Cuneo

Direct dial 703 464 8159
ccuneo@mintz.com

October 12, 2001

VIA FEDERAL EXPRESS OVERNIGHT

URGENT!!!

Jay Peterson
1204 Torro Canyon Road
Montecito, CA 93108

Re: Declaration for Reissue Application
U.S. Reissue Patent Application Serial No. 09/708,713, filed Nov. 9, 2000
which is a Continuation of Reissue Application No. 09/521,858, filed Mar. 9, 2000
U.S. Patent No. 5,726,450, issued March 10, 1998
Our Reference No. 23439-016-401

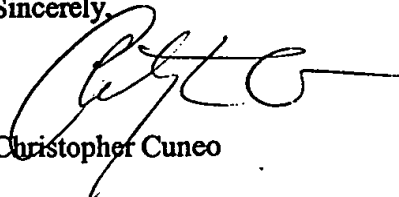
Dear Mr. Peterson:

I am contacting you in connection with a reissue application for U.S. Patent No. 5,726,450, for which you are named as a joint inventor. In order to proceed with the reissue application, the U.S. Patent and Trademark Office requires that the original inventors execute the enclosed Reissue Declaration. I have also enclosed a copy of the 5,726,450 patent and the Preliminary Amendment that includes the desired changes to the patent.

Please sign and date the Reissue Declaration on the space indicated above your name and return the signed copy to me in the enclosed Federal Express envelope. This matter is time sensitive and your prompt attention is appreciated.

In an effort to resolve any questions you may have regarding your involvement in the reissue application process, I have also enclosed a copy of the assignment that you executed in October 1996. If you have any further questions, please do not hesitate to contact me.

Sincerely,



Christopher Cuneo

JGG/CJC:dms

Enclosures: Reissue Declaration
Copy of U.S. Patent No. 5,726,450
Copy of Preliminary Amendment filed March 9, 2000
Return Federal Express Envelope

Sasaki, Doreen M.

From: Sasaki, Doreen M.
Sent: Friday, October 12, 2001 4:23 PM
To: Sasaki, Doreen M.
Subject: FedEx shipment 790185373573

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One Fountain Square
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Reston, Virginia 20190
703 464 4800
703 464 4895 fax
www.mintz.com

Christopher Cuneo

Direct dial 703 464 8159
ccuneo@mintz.com

October 12, 2001

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URGENT!!!

David R. Nelson
520 East Victoria Street
Santa Barbara, California 93111

Re: Declaration for Reissue Application
U.S. Reissue Patent Application Serial No. 09/708,713, filed Nov. 9, 2000
which is a Continuation of Reissue Application No. 09/521,858, filed Mar. 9, 2000
U.S. Patent No. 5,726,450, issued March 10, 1998
Our Reference No. 23439-016-401

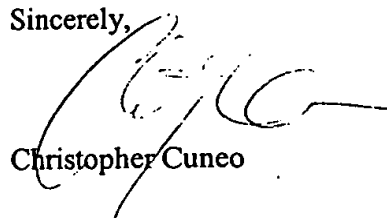
Dear Mr. Nelson:

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JGG/CJC:dms

Enclosures: Reissue Declaration
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Copy of Preliminary Amendment filed March 9, 2000
Return Federal Express Envelope

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Sasaki, Doreen M.

From: Sasaki, Doreen M.
Sent: Friday, October 12, 2001 4:38 PM
To: Sasaki, Doreen M.
Subject: FedEx shipment 790185424590

CHRISTOPHER CUNEO of MINTZ LEVIN COHN FERRIS GLOVSK sent David R. Nelson
a Priority Overnight FedEx Pak.

This shipment is scheduled to be sent on 12OCT01.

The tracking number(s) are: 790185424590

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Tracking Number 790185424590
Reference Number 23439-016-401
Ship Date 10/12/2001
Delivered To Recipient
Delivery Location SANTA BARBARA CA
Delivery Date/Time 10/16/2001 13:12 :
Signed For By G. CLAUDRIA
Service Type Priority Pak

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Scan Activity	Date/Time	Comments
Delivered GOLETA CA	10/16/2001 13:12	No signature required - release waiver on file
Delivered GOLETA CA	10/16/2001 13:12	No signature required - release waiver on file
On FedEx vehicle for delivery GOLETA CA	10/16/2001 11:34	
On FedEx vehicle for delivery GOLETA CA	10/16/2001 08:32	
Package status GOLETA CA	10/15/2001 18:25	Package in FedEx location
Delivery attempt GOLETA CA	10/15/2001 09:53	Customer not available or Business closed
On FedEx vehicle for delivery GOLETA CA	10/15/2001 08:20	
Package status GOLETA CA	10/13/2001 12:56	Package not due for delivery
Arrived at FedEx Ramp ONTARIO CA	10/13/2001 09:38	
Arrived at FedEx Destination Location GOLETA CA	10/13/2001 09:02	
Left FedEx Ramp ONTARIO CA	10/13/2001 07:38	
Left FedEx Sort Facility MEMPHIS TN	10/13/2001 05:06	
Left FedEx Sort Facility MEMPHIS TN	10/13/2001 00:43	

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Memphis, TN 38116

U.S. Mail: PO Box 727
Memphis, TN 38194-4643

Telephone: 901-369-3600

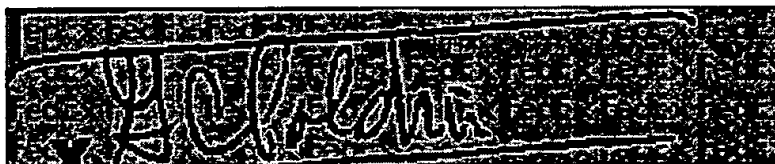
11/13/2001

Dear Customer:

Here is the proof of delivery for the shipment with tracking number 790185424590. Our records reflect the following information.

Delivery Information:

Signed For By: G. CLAUDRIA



Delivery Location: 520E VICTORIA

Delivery Date: October 16, 2001

Delivery Time: 1312

Shipping Information:

Tracking No: 790185424590

Ship Date: October 12, 2001

Recipient:

DAVID R. NELSON

520 EAST VICTORIA STREET
SANTA BARBARA, CA 93111
US

Shipper:

MINTZ LEVIN COHN FERRIS GLOVSK
MINTZ LEVIN COHN FERRIS GLOVSK
11911 FREEDOM DR STE 400
RESTON, VA 201905645
US

Shipment Reference Information:

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703 464 4800
703 464 4895 fax
www.mintz.com

Christopher Cuneo

Direct dial 703 464 8159
ccuneo@mintz.com

October 12, 2001

VIA FEDERAL EXPRESS OVERNIGHT

URGENT!!!

Michael D. Jack
75 Coromar Drive
Goleta, CA 93117

Re: Declaration for Reissue Application
U.S. Reissue Patent Application Serial No. 09/708,713, filed Nov. 9, 2000
which is a Continuation of Reissue Application No. 09/521,858, filed Mar. 9, 2000
U.S. Patent No. 5,726,450, issued March 10, 1998
Our Reference No. 23439-016-401

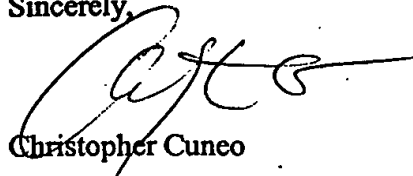
Dear Mr. Jack:

I am contacting you in connection with a reissue application for U.S. Patent No. 5,726,450, for which you are named as a joint inventor. In order to proceed with the reissue application, the U.S. Patent and Trademark Office requires that the original inventors execute the enclosed Reissue Declaration. I have also enclosed a copy of the 5,726,450 patent and the Preliminary Amendment that includes the desired changes to the patent.

Please sign and date the Reissue Declaration on the space indicated above your name and return the signed copy to me in the enclosed Federal Express envelope. This matter is time sensitive and your prompt attention is appreciated.

In an effort to resolve any questions you may have regarding your involvement in the reissue application process, I have also enclosed a copy of the assignment that you executed in October 1996. If you have any further questions, please do not hesitate to contact me.

Sincerely,



Christopher Cuneo

JGG/CJC:dms

Enclosures: Reissue Declaration
Copy of U.S. Patent No. 5,726,450
Copy of Preliminary Amendment filed March 9, 2000
Return Federal Express Envelope

Sasaki, Doreen M.

From: Sasaki, Doreen M.
Sent: Friday, October 12, 2001 4:17 PM
To: Sasaki, Doreen M.
Subject: FedEx shipment 790964801240

CHRISTOPHER CUNEO of MINTZ LEVIN COHN FERRIS GLOVSK sent Michael D. Jack
a Priority Overnight FedEx Pak.

This shipment is scheduled to be sent on 12OCT01.

The tracking number(s) are: 790964801240

To track this shipment online click on the following link:
[http://www.fedex.com/cgi-bin/tracking?tracknumbers=790964801240
&action=track&language=english&cntry_code=us](http://www.fedex.com/cgi-bin/tracking?tracknumbers=790964801240&action=track&language=english&cntry_code=us)

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Tracking Number 790964801240
Reference Number 23439-016-401
Ship Date 10/12/2001
Delivered To Ship'g/Receiv'g
Delivery Location SANTA BARBARA CA
Delivery Date/Time 10/15/2001 08:59 :
Signed For By T.JIMENEZ
Service Type Priority Pak

Tracking Options

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Scan Activity	Date/Time	Comments
Delivered GOLETA CA	10/15/2001 08:59	
On FedEx vehicle for delivery GOLETA CA	10/15/2001 07:50	
Package status GOLETA CA	10/13/2001 12:56	Package not due for delivery
Arrived at FedEx Ramp ONTARIO CA	10/13/2001 09:38	
Arrived at FedEx Destination Location GOLETA CA	10/13/2001 09:02	
Left FedEx Ramp ONTARIO CA	10/13/2001 07:38	
Left FedEx Sort Facility MEMPHIS TN	10/13/2001 05:06	
Left FedEx Sort Facility MEMPHIS TN	10/13/2001 00:40	
Arrived at Sort Facility MEMPHIS TN	10/12/2001 23:47	
Left FedEx Ramp DULLES VA	10/12/2001 23:09	
Left FedEx Origin Location HERNDON VA	10/12/2001 21:50	
Picked up by FedEx HERNDON VA	10/12/2001 19:35	

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Memphis, TN 38194-4643

Telephone: 901-369-3600

11/13/2001

Dear Customer:

Here is the proof of delivery for the shipment with tracking number **790964801240**. Our records reflect the following information.

Delivery Information:

Signed For By: T.JIMENEZ



Delivery Location: 26 CASTILIAN DR
Delivery Date: October 15, 2001
Delivery Time: 0859

Shipping Information:

Tracking No: 790964801240

Ship Date: October 12, 2001

Recipient:
MICHAEL D. JACK

75 COROMAR DRIVE
SANTA BARBARA, CA 93117
US

Shipper:
CHRISTOPHER CUNEO
MINTZ LEVIN COHN FERRIS GLOVSK
11911 FREEDOM DR STE 400
RESTON, VA 201905645

Shipment Reference Information:

23439-016-401

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Reston, Virginia 20190
703 464 4800
703 464 4895 fax
www.mintz.com

Christopher Cuneo

Direct dial 703 464 8159
ccuneo@mintz.com

October 12, 2001

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George C. Polchin
520 East Victoria Street
Santa Barbara, CA 93111

Re: Declaration for Reissue Application
U.S. Reissue Patent Application Serial No. 09/708,713, filed Nov. 9, 2000
which is a Continuation of Reissue Application No. 09/521,858, filed Mar. 9, 2000
U.S. Patent No. 5,726,450, issued March 10, 1998
Our Reference No. 23439-016-401

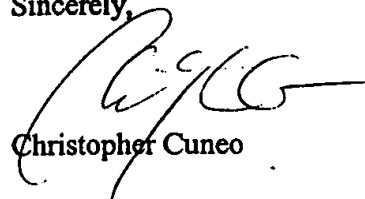
Dear Mr. Polchin:

I am contacting you in connection with a reissue application for U.S. Patent No. 5,726,450, for which you are named as a joint inventor. In order to proceed with the reissue application, the U.S. Patent and Trademark Office requires that the original inventors execute the enclosed Reissue Declaration. I have also enclosed a copy of the 5,726,450 patent and the Preliminary Amendment that includes the desired changes to the patent.

Please sign and date the Reissue Declaration on the space indicated above your name and return the signed copy to me in the enclosed Federal Express envelope. This matter is time sensitive and your prompt attention is appreciated.

In an effort to resolve any questions you may have regarding your involvement in the reissue application process, I have also enclosed a copy of the assignment that you executed in October 1996. If you have any further questions, please do not hesitate to contact me.

Sincerely,



Christopher Cuneo

JGG/CJC:dms

Enclosures: Reissue Declaration
Copy of U.S. Patent No. 5,726,450
Copy of Preliminary Amendment filed March 9, 2000
Return Federal Express Envelope

Sasaki, Doreen M.

From: Sasaki, Doreen M.
Sent: Friday, October 12, 2001 4:33 PM
To: Sasaki, Doreen M.
Subject: FedEx shipment 790185410630

CHRISTOPHER CUNEO of MINTZ LEVIN COHN FERRIS GLOVSK sent George C. Polchin a Priority Overnight FedEx Pak.

This shipment is scheduled to be sent on 12OCT01.

The tracking number(s) are: 790185410630

To track this shipment online click on the following link:
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Tracking Number 790185410630
Reference Number 23439-016-401
Ship Date 10/12/2001
Delivered To Recipient
Delivery Location SANTA BARBARA CA
Delivery Date/Time 10/16/2001 10:23 :
Signed For By 12452683
Service Type Priority Pak

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Delivered GOLETA CA	10/16/2001 10:23	No signature required - release waiver on file
On FedEx vehicle for delivery GOLETA CA	10/16/2001 08:34	
Package status GOLETA CA	10/15/2001 18:25	Package in FedEx location
Delivery attempt GOLETA CA	10/15/2001 09:53	Customer not available or Business closed
On FedEx vehicle for delivery GOLETA CA	10/15/2001 08:20	
Package status GOLETA CA	10/13/2001 12:56	Package not due for delivery
Arrived at FedEx Ramp ONTARIO CA	10/13/2001 09:38	
Arrived at FedEx Destination Location GOLETA CA	10/13/2001 09:02	
Left FedEx Ramp ONTARIO CA	10/13/2001 07:38	
Left FedEx Sort Facility MEMPHIS TN	10/13/2001 05:06	
Left FedEx Sort Facility MEMPHIS TN	10/13/2001 00:41	
Arrived at Sort Facility MEMPHIS TN	10/12/2001 23:47	

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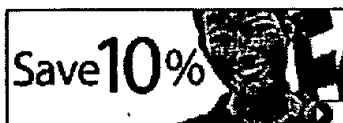
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**Delivery Information**

Signed for by: 12452683
Delivered to: 520 EAST VICTORIA STREET
Delivery Date: October 16, 2001
Delivery Time: 1023
Shipper Reference Number: 23439-016-401

Shipping Information

Tracking Number: 790185410630
Shipper:
MINTZ LEVIN COHN FERRIS GLOVSK
MINTZ LEVIN COHN FERRIS GLOVSK
11911 FREEDOM DR STE 400
RESTON, VA 201905645
US

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703 464 4800
703 464 4895 fax
www.mintz.com

Christopher Cuneo

Direct dial 703 464 8159
ccuneo@mintz.com

October 12, 2001

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Troy P. Bahan
442 Ribera Drive
Santa Barbara, CA 93111

Re: Declaration for Reissue Application
U.S. Reissue Patent Application Serial No. 09/708,713, filed Nov. 9, 2000
which is a Continuation of Reissue Application No. 09/521,858, filed Mar. 9, 2000
U.S. Patent No. 5,726,450, issued March 10, 1998
Our Reference No. 23439-016-401

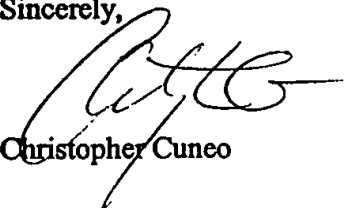
Dear Mr. Bahan:

I am contacting you in connection with a reissue application for U.S. Patent No. 5,726,450, for which you are named as a joint inventor. In order to proceed with the reissue application, the U.S. Patent and Trademark Office requires that the original inventors execute the enclosed Reissue Declaration. I have also enclosed a copy of the 5,726,450 patent and the Preliminary Amendment that includes the desired changes to the patent.

Please sign and date the Reissue Declaration on the space indicated above your name and return the signed copy to me in the enclosed Federal Express envelope. This matter is time sensitive and your prompt attention is appreciated.

In an effort to resolve any questions you may have regarding your involvement in the reissue application process, I have also enclosed a copy of the assignment that you executed in October 1996. If you have any further questions, please do not hesitate to contact me.

Sincerely,



Christopher Cuneo

JGG/CJC:dms

Enclosures: Reissue Declaration
Copy of U.S. Patent No. 5,726,450
Copy of Preliminary Amendment filed March 9, 2000
Return Federal Express Envelope

Sasaki, Doreen M.

From: Sasaki, Doreen M.
Sent: Friday, October 12, 2001 4:30 PM
To: Sasaki, Doreen M.
Subject: FedEx shipment 790964812384

CHRISTOPHER CUNEO of MINTZ LEVIN COHN FERRIS GLOVSK sent Troy A. Bahan a Priority Overnight FedEx Pak.

This shipment is scheduled to be sent on 12OCT01.

The tracking number(s) are: 790964812384

To track this shipment online click on the following link:
[http://www.fedex.com/cgi-bin/tracking?tracknumbers=790964812384
&action=track&language=english&cntry_code=us](http://www.fedex.com/cgi-bin/tracking?tracknumbers=790964812384&action=track&language=english&cntry_code=us)

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Est. Delivery Reattempt 10/15/2001 by 00:00
Tracking Number 790964812384
Reference Number 23439-016-401
Ship Date 10/12/2001
Delivered To
Delivery Location SANTA BARBARA CA
Delivery Date/Time
Signed For By
Service Type Priority Pak

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Package status GOLETA CA	10/15/2001 17:21	Package in FedEx location
Delivery attempt GOLETA CA	10/15/2001 08:37	Incorrect address
Package status GOLETA CA	10/13/2001 12:56	Package not due for delivery
Arrived at FedEx Ramp ONTARIO CA	10/13/2001 09:38	
Arrived at FedEx Destination Location GOLETA CA	10/13/2001 09:02	
Left FedEx Ramp ONTARIO CA	10/13/2001 07:38	
Left FedEx Sort Facility MEMPHIS TN	10/13/2001 05:06	
Left FedEx Sort Facility MEMPHIS TN	10/13/2001 00:53	
Arrived at Sort Facility MEMPHIS TN	10/12/2001 23:47	
Left FedEx Ramp DULLES VA	10/12/2001 23:09	
Left FedEx Origin Location HERNDON VA	10/12/2001 21:50	
Picked up by FedEx HERNDON VA	10/12/2001 19:35	

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